



IDAHO WATER RESOURCE BOARD

MINUTES OF STATE WATER PLAN SUB-COMMITTEE MEETING

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Armacost**
New Meadows
At Large

Idaho Department of Water Resources
Idaho Water Center, Boise, Idaho
February 20, 2008

The Chairman of the committee, Gary Chamberlain, called the meeting to order at 9:00 a.m. Vic Armacost and Leonard Beck were also present.

Staff members present were Hal Anderson, Administrator, Brian Patton, Bureau Chief of Planning; Helen Harrington, Planning Section Manager, Sandra Thiel, Planner, Neeley Miller, Planner and Patsy McGourty, Recording Secretary. Cindy Bird, Soda Springs, was present by telephone.

Guests in attendance were:

David Blew and Mark Morehead, Idaho Power Co.
Kevin Lewis, Idaho Rivers United Peter Anderson, Trout Unlimited
Shelley Davis, Barker Rosholt Claudia Haynes

Agenda Item No. 1, State Water Plan Resource Inventory Briefing

Ms. Harrington introduced Sandra Thiel to present the State Water Plan Resource Inventory Briefing. Ms. Thiel outlined the framework for updating and revising the Resource Inventory. Committee members asked questions. Ms. Thiel invited guests to comment in writing or direct e-mail questions to her.

Ms. Harrington presented a timeline chart comparing the Eastern Snake Plain Aquifer Comprehensive Management Plan schedule with the State Water Plan Revision and the Resource Inventory Revisions. The chairman asked that there be ongoing legal review and feedback to the committee. By the end of June, 2009 staff hopes to have completed a draft of the Resource Inventory ready for the public meeting process. Experts may be asked to provide input on this document.

Agenda Item No. 2, Bear River Basin Briefings

2b. Bear River Ground Water Management - Since Mr. Anderson had not yet joined the meeting Ms. Harrington began with this section first.

Ms. Harrington gave background information on the Bear River Ground Water Management Area. She outlined the history that lead up to its creation on 8-12-01 and subsequent adoption of a ground water management plan in 2003. The purpose of the plan is to accommodate growth while insuring sufficient water supply for existing water right holders. The plan created a simplified mitigation strategy that required applicants to mitigate for depletion according to accepted methods and expedite the process to eliminate protests. The strategy was to help applicants know what would be required for mitigation in the water right application process. Ms. Harrington stated the process has worked. Chairman Chamberlain asked to see some mitigation plans from the area in the future to better understand the procedure. There was general discussion on water uses in the area.

Other components of the plan were measuring and reporting of ground water use, creation of Bear River Rental Pool and a Water Measurement District, Expansion of Watermaster Administration and a Comprehensive State Water Plan for the Bear River Basin. Ms. Harrington stated that these actions have been stalled. There are problems creating rental pools because of issues with the other states. Some actions like the creation of a water district haven't been addressed. There is a training comprehension issue with the watermaster who is new to the position. The Bear River is on the priority list for aquifer planning which is currently before the legislature.

Ms. Harrington showed a graph that represented the storage water in Bear Lake. She discussed the restrictions for power generation, flood control, and irrigation. Cindy Bird from the IDWR Soda Springs office noted that the decreed water rights belonging to Pacific Corp date back to the 1920's. There has not been a general adjudication in the area and the committee discussed that. Mr. Anderson, who had just joined the meeting, noted that adjudications clarify the water rights that the department administers. He stated the Board is financing a study to determine the feasibility of a new dam for Twin Lakes will be addressed at the March 2008 meeting. It is located on Bear River below Bear Lake.

2a. Bear River Compact Briefing - Mr. Anderson used a map to show the location of the Bear River in Utah, Wyoming and Idaho. He discussed the flow of the river which has been separated from Bear Lake for around 10,000 years. He noted the location of Mud Lake on the North end of Bear Lake. Tributaries flow into Bear Lake but there are no natural outlets. Water comes into Bear Lake from Mud Lake through gravity flow. A pumping station built in the early 1900's at the North end of Bear Lake sends water through a canal system for irrigation and power production. The Bear River is the largest tributary to the Great Salt Lake in Utah.

The Bear River Compact is an Interstate agreement between Idaho, Wyoming and Utah. It was started in the 30's and 40's, signed in 1958 and reauthorized in 1980. Bear Lake is a Great Basin Lake and has no discharge. A large amount of water is lost to evaporation. The lake lies in both Utah and Idaho The main purpose of the compact is to facilitate interstate water delivery from Bear River.

In Bear Lake there are several levels of storage based on grandfathered reservoirs, subsequent storage projects and future allocations. The policy for hydropower below Bear Lake in the Lower Division is that irrigation comes first. It is an unusual situation in the Bear River Basin where a private company owns and operates the reservoir space and not the Federal government. Bear Lake contains 1.4 million acre-feet of useable storage capacity. The Board has a minimum lake water right at an elevation of 5902 feet. Utah plans to develop its Lower Division allocation of Bear River water as it comes into the Great Salt Lake.

Mr. Anderson stated the Bear River Commission has three members from each state and a non-voting federal chairman. Unless there is a water emergency, each state administers its own water. Unused allocations in Bear Lake do not carryover for following years as described in the Bear Lake Settlement Agreement. Irrigators do not pay for storage.

Mr. Anderson noted that the compact area is divided into three divisions. The Upper and Central Divisions have spelled out water emergency criteria. Bear Lake and Mud Lake are considered a single entity. Models have been developed for Lower Division interstate accounting in Idaho and Utah. They are calibrated to be as close as possible.

In regard to ground water, Mr. Anderson noted that conjunctive management is further along in Idaho than Utah. The Bear River is chronically water short. Mr. Anderson answered questions. He stated that the compact only marginally addresses water quality. That is handled by the Bear Lake Regional Commission and is supported by grants from the Federal government. The Bear River Commission has established a sub-committee composed of Department of Environmental Quality Directors from the three states who meet to discuss water quality issues on a regular basis. They have been very successful.

The Chairman called for a short ten minute break.

3. Review of River Basin Policies

6a. Bear River Basin – Since 1995 the basin has operated with the Bear Lake Settlement Agreement and since 2003 with the Ground Water Management Plan. The committee discussed the comments and decided to include the words “by the Bear River Commission.”

6b. Interstate Water Delivery – There was discussion about the comments. Mr. Anderson thought it was a good point to say that water users are not obligated to Lower Division interstate accounting without a declared emergency; however, Idaho water users may voluntarily accept it. This involves storage agreements between the canal companies and the power company.

6c. Bear Lake – In the second paragraph the committee discussed the references to the agreement dates. The policy wording stated, “The outstanding values of Bear Lake are recognized and should be preserved.” The committee discussed the comments section in regard to sediment contamination. This paragraph remained the same.

6d. Bear River Basin Water Projects – The committee added the words “are encouraged” at the end of the policy. The committee discussed the comments sections and the concept of a rental

pool for the Bear River Basin. Pacific Corp is not interested in a rental pool. Mr. Anderson suggested that rental pool language be added and considered for now. Utah doesn't have rental pools. There was further discussion about the effect of rental pools on hydropower rights. Mr. Anderson pointed out that a rental pool is a tool for mitigating growth impacts. He cited the example of the Bear River Resort to point out the difficulties in getting water to new developments. There was discussion about the needs of farmers versus municipalities. Ms. Harrington cited a sentence in the Bear River Ground Water Management Plan that stated, "A long term source of mitigation needs to be identified." The Chairman asked if the Board wanted to advocate a rental pool by policy. A new policy was written for evaluating the use of a rental pool in the Bear River Basin.

6e. Panhandle Basins – Ms. Harrington pointed out that efforts are being made to understand the hydrology of panhandle basins. Better information is needed. The committee wanted to add language about the importance of gathering information and understanding the water resources of the area.

Agenda Item No. 4. Future Meeting Schedule

The next meeting is set for March 14 at 1:00 p.m. in Boise.

Agenda Item No. 5. Assignments/Actions

Staff will prepare a new version and post on the website.

Dated this _____ day of February 2008.

Patsy McGourty
Administrative Assistant II